

REMARKS/ARGUMENTS

Claims 13-18 are pending and rejected in the application. Claims 1-12 were previously cancelled without prejudice or disclaimer.

Claims 13-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Worley et al., (hereinafter “Worley”), US Pub. No. 2003/0177175, in view of Hayton et al., (hereinafter “Hayton”), US Pat. No. 7,346,842.

Applicants submit the cited references fails to teach or suggest, among other things, at least a system for initializing a modified XML data element to form an XML script containing an original web page template for display by a web browser, creating a pretoken from the data in the incoming XML data element, determining if delimiters are present in the incoming XML data element, wherein if an ending delimiter is present, further comprising saving the beginning and ending delimiters as a token and storing the data in the token as a temporary value (*e.g.*, as described in claim 13).

First, Applicants would like to agree with the Office Action’s indication that Worley does not teach or suggest at least these relevant limitations of claim 13. *See* Office Action dated 1/20/2010, pages 6 and 15. The Office Action instead relies on Hayton, asserting it teaches the relevant limitations. It cites column 1, lines 45-60, column 5, lines 40-66, column 2, lines 3-65 and column 17, line 25 – column 18, line 30 as describing the relevant limitations.

The cited section column 1, lines 45-60 is found in the Background of the Invention section of Hayton. This section states:

Some systems may have a periodic update, where the client requests (arrow 18) a refresh of the page 26 every specified period of time. Upon re-executing (arrow 34) all of the page generation code 30, the server 22 generates another complete page 26. Again, the page 26 represents a snapshot of the state of the server-side data 50 at the point in which

the server 22 re-executes (arrow 34) all of the page generation code 30. The data 50 (e.g., share price) in the generated page 26 may be the same as the period before, thus making the execution (arrow 34) of the page generation code 30 and the transmission (arrow 38) of the page 26 unnecessary. Even when the data has changed, the majority of the page 26 will be static elements, which are unchanged.

Neither the manual nor periodic update keeps the user timely informed of data 50 as the data 50 changes. The updates are almost unrelated to the changes in the data 50; for example, a page 26 can be transmitted although no data has changed. This update unnecessarily uses network communication channel resources, client resources and server resources.

The cited section describes a “refresh” function. A page generation code is used to generate a particular webpage from a server. After some period of time, the page generation code is re-executed to re-generate the same page in full, which may result in the same content as before. Therefore, Applicants disagree with Office Action’s indication that this section teaches regenerating portions of a page that have changed and transmitting only those portion to the client that have changed. It does not. Moreover, Applicants submit this section fails to teach or suggest the relevant, aforementioned limitations of claim 13.

The cited section column 5, lines 40-66 comprises two paragraphs. The first paragraph, and the associated Figure 2b, is directed to describing the correspondence between page portions 260a-f and code fragments 265a-d of the page generation code 260. Each of the code fragments 265 are used to generate one or more page portions 260 of the web page 240. The cited section describes an example wherein code fragment 265d is used to generate page portions 260c, 260e, and 260f.

The second paragraph describes an example of the correspondences between code fragments 265 of the page generation code 30 and the corresponding data 50a, 50b, 50c, 50d upon which the code fragments 265 depend. The reference states that the data 50 upon which the

code fragments 265 depend is the data 50 that the code fragment 265 uses to generate the corresponding page portion 260.

Applicants submit the cited section column 5, lines 40-66 fails to teach or suggest at least relevant limitations of claim 13 discussed above. For example, the cited section fails to teach or suggest at least creating a pretoken from the data in the incoming XML data element, determining if delimiters are present in the incoming XML data element, wherein if an ending delimiter is present, further comprising saving the beginning and ending delimiters as a token and storing the data in the token as a temporary value (as described in claim 13).

The Office Action also cites to column 2, lines 3-65, which constitute nearly the entire Summary of the Invention section. Applicants submit that this section generally states the invention is a method and apparatus for regenerating portions of the page that have changed and transmitting only those portions to the client for the display. It further describes the step of incorporation includes copying a first portion of the transmitted page displayed on the client and inserting the copied first portion into a second portion of the transmitted page displayed on the client. It finally asserts that the invention relates to a client for incorporating a partial page into a transmitted page. However, similar to the cited section discussed above, the relevant limitations of claim 13 are not taught or suggested anywhere.

Finally, the last cited section column 17, line 25 to column 18, line 25, essentially cites to the entire description of Figure 9 of Hayton. The reference states that Figure 9 is directed to an exemplary process by which the partial page regenerator 250 generates updates for portions 260 of the page 240 that have changed. So, similar to the above-discussed section column 5, lines 40-66, this cited section discusses the partial page regenerator 250 utilizes code fragments 265

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are used to generate one or more page portions 260 of the web page 240. The partial page regenerator 250 generates output for the changed page portions 260 and a modification list for instructing the display alterer 245 on how to incorporate the changed page portions 260 in the displayed page. However, Applicants again submit that the relevant aforementioned limitations of claim 13 are not taught or suggested anywhere.

For at least the above reasons, the cited references fail to teach or suggest the above-discussed relevant limitations of claim 13. Therefore, the rejection of claim 13 is lacking and should be withdrawn. Applicants submit claim 13, and claim 16 (containing similar limitations) are allowable. Claims 14-15, and 17-18 are allowable at least for depending from an allowable base claim.

Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7950 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. **11-0600**.

Respectfully submitted,

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